



April 17, 2020

**Via ECF**

Magistrate Judge David T. Schultz  
United States District Court  
9E U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Re: Fair Isaac Corp. v. Federal Insurance Co., et al.  
No. 16-cv-01054-WMW-DTS (D. Minn. Filed April 21, 2016)

Dear Judge Schultz:

We write in response to the Court's directive at the April 8, 2020 hearing on FICO's Motion for Sanctions for Spoliation and Failure to Comply with Discovery Order (Dkt. No. 716), in which the Court asked Federal to submit information regarding the following:

1. Regarding Exhibit A attached to the Declaration of Christopher D. Pham (Dkt. No. 736), please explain what the document conveys.

Exhibit A to the Pham Declaration is a document prepared by a Chubb Business Analyst that shows the business rules created by Chubb, which were to be applied in EZER. The rules in this document were implemented in Blaze Advisor. The entire document—not just page 31—shows the business rules created for EZER.

2. Explain whether the decommissioning process that was used with EZER was also used for the other nine applications at issue in this lawsuit. If so, when did it take place, and did it have the same impact on the repository files? If not, why not?

Eight of the other nine applications that used Blaze Advisor did not undergo the decommissioning process that occurred with EZER. Rather, these eight applications were not decommissioned and are still active and being used by Federal. However, the applications have been modified such that they no longer use Blaze Advisor. The ninth application, known as "Adapt," is currently undergoing the decommissioning process used with EZER. However, as of the writing of this letter, that process has not been completed.

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Please advise if the Court has any follow-up questions.

Sincerely,

*s/Terrence J. Fleming*

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